DOCKET FILE COPY ORIGINAL ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Part 90 of the	)	PR Docket No. 93-61
Commission's Rules to Adopt	)	
Regulations for Automatic Vehicle	)	
Monitoring Systems	)	

RECEIVED
JUL 29 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

REPLY COMMENTS OF ITRON, INC.

Itron, Inc. ("Itron") hereby submits the following reply comments with respect to the Notice of Proposed Rulemaking ("Notice") in the above-captioned proceeding. Itron is the worldwide leader in providing RF-based, automatic meter reading ("AMR") systems for use by gas, electric, and water utilities.

The weight of the comments filed in this proceeding demonstrates that the proposed expansion of wideband Location and Monitoring Service ("LMS") systems across the entire 902-928 MHz band would be contrary to the public interest. Of the eighty-six comments submitted, over 75% oppose the allocation of 8 MHz in the 902-928 MHz band for use by the North American Teletrac and Location Technologies, Inc. ("Teletrac") system. Of the fourteen filing comments in support of the Notice, the vast majority suggest significant changes to the proposed rules.

The inescapable conclusion is that the proposed shared use of the 902-928 MHz band by wideband LMS and the existing unlicensed users of the band is technically unworkable.

I. WIDEBAND LMS IS TECHNICALLY INCOMPATIBLE WITH EXISTING TECHNOLOGIES.

Virtually all parties recognized that technical incompatibilities preclude the coexistence of unlicensed, Part 15 users and wideband LMS systems. As Itron and other Part 15 users emphasized, Teletrac's AVM system is notoriously susceptible to

No. of Copies rec'd 0+9
List ABCDE

interference.[1] That, and the high power of the Teletrac system's forward links, will make it virtually impossible to operate unlicensed system receivers in the band.[2]

Given the large number of unlicensed users in this band, if the Notice were adopted, interference in the 902-928 MHz band would be inevitable and intolerable and, because Teletrac would have priority over unlicensed Part 15 devices, the proposed rules have the effect of excluding such devices from the 902-928 MHz band.

Teletrac attempted to dismiss these concerns simply by denying that wideband AVM would be incompatible with Part 15 devices.[3] Teletrac has offered no factual support for its position. Indeed, the only evidence offered in this proceeding supports a conclusion that there is great potential for interference.[4]

II. THE SUBSTANTIAL INVESTMENT IN EXISTING PART 15 TECHNOLOGIES WOULD BE LOST IF THE NOTICE WERE ADOPTED.

The comments in this proceeding make clear that many millions of dollars have been invested by manufacturers and the public in the unlicensed, low power technologies currently making use of the 902-928 MHz band.[5] This substantial investment would be lost if the Commission were to adopt the proposal set out in the Notice.

---

[1] See inter alia *Comments of Alarm Industry Communications Committee* ("AICC") at 6; and *Comments of the Telecommunications Industry Association* at 2-4.

[2] See inter alia *Comments of Itron* at 6; and *Comments of the Part 15 Coalition* at 11.

[3] See *Comments of Teletrac* at n. 13.

[4] As Itron noted in its initial comments, while installing a meter reading system in a major metropolitan area, Itron became aware of another company's Part 15 device that was interfering with the Teletrac system miles away. As well as showing how easy it is for a Part 15 device to interfere with the Teletrac system, the issue of noise susceptibility of the Teletrac system is raised again since the interference occurred with several miles of separation between the Teletrac receiver site and interfering signal. Clearly Teletrac is aware of this particular incident and countless more like it- its dismissal of the potential for interference should the proposed rules be adopted seems disingenuous at best. See *Comments of Itron* at n. 6.

[5] See inter alia *Comments of AICC* at 4; *Comments of Clinicom;* and *Comments of the Consumer Electronics Section of the Electronics Industries Association* at 7.

In addition, users of narrowband AVM systems have made substantial investments, which also would be jeopardized.[6] For instance, IBTTA's members have allocated more than $62 million to fund narrowband AVM systems through 1996, and will use an additional $32 million in federal funds available from the Federal Highway Administration.[7]

In short, if the proposed rules are adopted, it is the public ultimately who will be required to foot the immense bill for the millions of dollars invested in equipment made obsolete by the Teletrac proposal.

III. OTHER SERVICES EXIST TO ACCOMPLISH VEHICLE LOCATION AND OTHER SPECTRUM EXISTS FOR WIDEBAND LMS.

The record in this proceeding also makes clear that there are other adequate methods to accomplish vehicle location short of allocating 8 MHz to wideband LMS in the 902-928 MHz band and displacing the existing users. For example, the Part 15 Coalition notes that location and messaging systems are already available via satellite networks, FM subcarrier networks, cellular networks and SMR networks.[8]

There are also alternative frequency bands available if the Commission were to consider it necessary to allocate additional spectrum to wideband LMS.[9] The Part 15 Coalition, for example, suggested that the 200 MHz of spectrum expected to be released by the federal government would be suitable for wideband LMS.[10] The point is that the Commission should not risk compromising substantial investments made in the 902-928 MHz band in technologies that perform

CONCLUSION

The Commission's policy of encouraging unlicensed Part 15 users to introduce innovative technologies and services in the 902-928 MHz band has been a considerable spectrum management success. This success is evidenced by the wide variety of products and services, like Itron's, that share these frequencies without mutually destructive interference. As a result of the Commission's policy, millions of dollars have been invested by service providers and customers alike in products and technologies that make efficient use of the 902-928 MHz band.

As discussed above, due to the characteristics of both wideband LMS systems